



Equality Now

A just world for women and girls.

INTER-PARLIAMENTARY COMMITTEE
MEETING ON THE OCCASION OF THE
INTERNATIONAL DAY FOR THE
ELIMINATION OF VIOLENCE AGAINST
WOMEN ON 21 NOVEMBER 2017

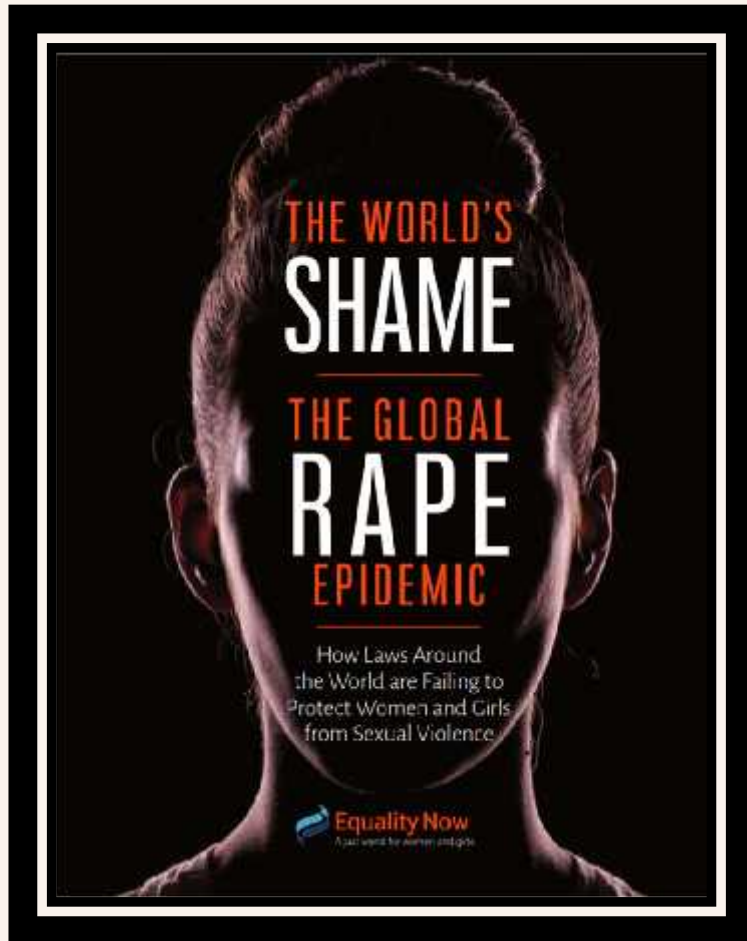
www.equalitynow.org

Why we reviewed laws on sexual violence

- ◆ 35% of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence (WHO)
- ◆ 120 million girls worldwide, just over 1 in 10, have experienced “forced intercourse or other forced sexual acts” at some point in their lives (UNICEF)
- ◆ Everyone is likely to have either survived, or to know someone who has survived sexual violence



How we reviewed laws on sexual violence



- Analysis of surveys by lawyers and others around the world about laws on rape and sexual assault from 82 jurisdictions (including within 73 UN Member States)
- UN Women's guidelines as benchmark
- Case studies from our work with partners

<https://www.equalitynow.org/campaigns/rape-laws-report>

7 GAPS IN PROTECTING WOMEN AND GIRLS FROM SEXUAL VIOLENCE

1. Laws allowing the perpetrator to walk free on reaching some form of “settlement”, including marriage
2. Laws framed in terms of morality rather than bodily integrity
3. Laws that explicitly permit rape in marriage, even of children
4. Laws or practices allowing for judicial discretion to reduce charges or define evidence influenced by stereotyped assessment of victim’s behaviour
5. Laws that fail to recognise true consent is impossible in situations of dependency or extreme vulnerability
6. Laws or practices inhibiting investigation or prosecution of sexual assault
7. Laws requiring witness corroboration and other overly burdensome evidence

How you frame the law matters

“Honour”, Morality and Men’s Entitlement to Control Women’s Bodies and Sexuality

- Exemption from punishment on “settlement” focuses on the supposed shame of the victim rather than the accountability of the perpetrator
- Allows women’s lives, futures and further abuse to be decided by others
- Enabling an environment of a woman’s subservience to/control by others allows other laws and practices that permit female genital mutilation, so-called honour crimes, forced and early marriage as well as domestic violence

Sex vs Violence

- Not recognising rape as violence in itself/requirement for additional force
- Construing rape as being a consequence of men’s lust
- Not recognising all situations where a person doesn’t have the free will to give consent ie where there is dependency or particular vulnerability

The Istanbul Convention:

recognises that “violence against women is a manifestation of **historically unequal power relations** between women and men, which have led to domination over, and **discrimination against, women** by men and to the prevention of the full advancement of women; and

recognises that...violence against women is one of the crucial social mechanisms by which **women are forced into a subordinate position** compared with men”.

Particular call to all states to:

abolish all laws and practices which discriminate against women including those which enable an environment of inequality and control. This includes looking again at the definition of rape/sexual assault so that consent must be given voluntarily as the result of the person's free will assessed in the context of the surrounding circumstances ie to shift the focus away from whether she consented to sex to whether he coerced her to suffer a violent act.

ensure victims have access to services facilitating their recovery from violence, including specialist women's support services, easily accessible. Such provision should recognise that a survivor's experience after the crime is indicative of her speed of recovery and whether she feels able to report rape and sexual assault and access justice.

devise in conjunction with women's organisations a national action plan, fully funded and regularly monitored and adjusted to fit its purpose.

Thank you



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